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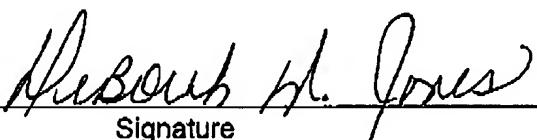
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MD1080USCNT

EXTENSION OF TIME, RESPONSE

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This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT/Docket No. MD1080USCNT

Serial No. 10/829,430

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1631
Examiner : Pablo S. Whaley
Applicant(s) : Michael Edward Schaffer
Serial Number : 10/829,430
Filed : 04/21/2004
For : Real Time Quantitative PCR with Intercalating Dye for Single and Multiplex Target DNA

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

This paper is filed in response to an Office Action mailed on December 15, 2006 the statutory period for response to end January 15, 2007.

EXTENSION OF TIME

Although this response is believed to be timely filed, if any additional extension and/or fee is required to keep this application pending, please charge Account No. 04-1928.

ELECTION OF SPECIES REQUIREMENT

Applicants are not entirely clear on what is being requested of them. There would appear to be a requirement to elect a "first" and a "second" target nucleic acid as recited in claim 7. Applicants elect:

A first target nucleic acid which is a lectin gene

A second target nucleic acid which is a 35S CaMV promoter.

TRAVERSAL OF THE REQUIREMENT

Applicants note that this application is a continuing application of a US national stage application (Serial No. 10/204,889) filed through the Patent Cooperation Treaty . MPEP Section